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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gust H. Bardy et al. Confirmation No.: 2624
Serial No.: 10/790,903 Examiner: Unknown
Filing Date: March 1, 2004 Group Art Unit: 3762
Docket No.: 1201.1102102 Customer No.: 28075
For: SUBCUTANEOUS ONLY IMPLANTABLE CARDIOVERTER-
DEFIBRILLATOR AND OPTIONAL PACER

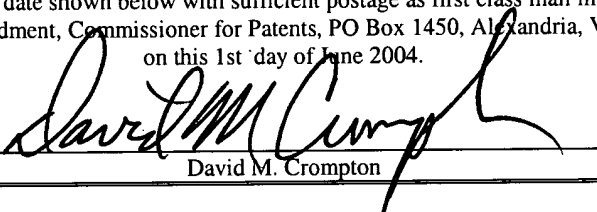
TRANSMITTAL SHEET

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

CERTIFICATE UNDER 37 C.F.R. § 1.8: I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to:
Mail Stop Amendment, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450
on this 1st day of June 2004.

By


David M. Crompton

We are transmitting herewith the attached:

[]

Amendment

[] No additional claim fee required

[] The claim fee has been calculated as shown:

CLAIMS AS AMENDED							
	(3)	(4)	(5)	SMALL ENTITY		OTHER	
	REMAINING CLAIMS	HIGHEST PAID	EXTRA	RATE	ADD'L FEE	RATE	ADD'L FEE
TOTAL CLAIMS	-	=		X 9=	\$	X 18=	\$
INDEPENDENT CLAIMS	-	=		X 43=	\$	X 86 =	\$
() FIRST MULTIPLE DEPENDENT CLAIM				+ 145 =	\$	+ 290 =	\$
TOTAL				\$		\$	

[] A check in the amount of \$_____ is enclosed. Itemization:

Fee Code _____ \$
Fee Code _____ \$
Fee Code _____ \$

[XX] Small entity status of this application under 37 C.F.R. §§ 1.9 and 1.27 has been established.

[XX] Other: INFORMATION DISCLOSURE STATEMENT, FORM PTO-1449 AND 30 CITED NON-U.S. PATENT/PUBLICATION REFERENCES.

[XX] Return Receipt Postcard (MPEP 503).

[XXXX] Please charge any deficiencies or credit any overpayment in the enclosed fees to Deposit Account No. 50-0413.

By: 
David M. Crompton, Reg. No. 36,772

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PATENT

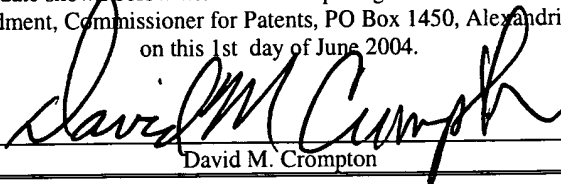
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INFORMATION DISCLOSURE STATEMENT

CERTIFICATE UNDER 37 C.F.R. § 1.8: I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to:
Mail Stop Amendment, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450
on this 1st day of June 2004.

By


David M. Crompton

Dear Sir:

Pursuant to the obligations of candor and good faith imposed by 37 C.F.R. § 1.56, the documents listed on the attached Form PTO-1449 are hereby disclosed and brought to the attention of the Examiner.

Pursuant to 37 C.F.R. § 1.98(d), the instant application relies on the earlier filing date of prior application Serial No. 09/663,607, filed September 18, 2000, under 35 U.S.C. § 120. The information disclosure statement submitted in the earlier application is in compliance with 37 C.F.R. § 1.98(a)-(c).

In accordance with 37 C.F.R. § 1.98(a)(2), a copy of each non-U.S. patent/publication document or other information listed on the enclosed Form PTO-1449 is provided, with the exception of the references cited in the earlier application which are not required to be provided for this application in accordance with 37 C.F.R. § 1.98(d).

No representation is intended to be made hereby that any of the cited references establishes, by itself or in combination with other information, a prima facie case of unpatentability of any claim of the present case.

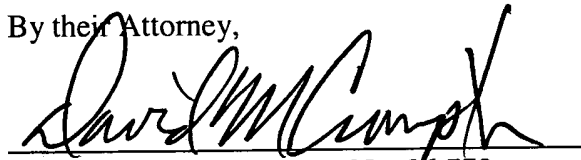
Respectfully submitted,

Gust H. Bardy et al.

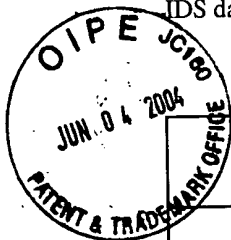
By their Attorney,

Date: _____

6/1/04



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FORM PTO-1449		Atty. Docket No.: 1201.1102102	Serial No.: 10/790,903
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT		Applicant: Gust H. Bardy et al.	
		Customer No.: 2624	
		Filing Date: March 1, 2004	Group Art: 3762

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AA	H1,905	10/03/2000	Hill	
AB	2001/027330 A1	10/04/2001	Sullivan et al.	
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ET	EP 0 316 616 A2,3 ✓	05/24/1989	Europe	Yes
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GH	Schuder, John C. et al., "Standby Implanted Defibrillators," <u>Arch Intern. Med</u> , Vol. 127, February 1971, p. 317 (single sheet).
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EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.